

**ANSWERS TO THE EUROPEAN PARLIAMENT
QUESTIONNAIRE TO THE COMMISSIONER-DESIGNATE**

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Security Union

1. General competence, European commitment and personal independence

What aspects of your personal qualifications and experience are particularly relevant for becoming Commissioner and promoting the European general interest, particularly in the area you would be responsible for? What motivates you? How will you contribute to putting forward the strategic agenda of the Commission?

What guarantees of independence are you able to give the European Parliament, and how would you make sure that any past, current or future activities you carry out could not cast doubt on the performance of your duties within the Commission?

Although I have been nominated in very particular circumstances, of which we are all aware, I believe that I have extensive relevant experience both in the subject area I would be responsible for and of promoting the European general interest. I am highly motivated to serve as Commissioner for the Security Union. This is an area of crucial importance to EU citizens and one where we need to work full time to strengthen our fight against terrorists and the means that support them as well as our capacity to fight other security threats while also strengthening our defences and building resilience across the Union. As a Member of the College I would not only be responsible for delivery and support in this vital area but also for playing my part in helping to deliver the Commission's broader strategic agenda working with my future colleagues.

I'd like to make three points with respect to my qualifications and experience:

- Firstly, I am proud to be British and I am proud to be European and I see no contradiction between these two. I believe that there is a key role for the EU to play in the areas covered by this portfolio where more needs to be done at European level to address the transnational threat and supply chains of organised crime and terrorism to further strengthen the work of national authorities. My compatriots decided on 23rd June to leave the European Union and we must respect that choice. Nevertheless, common challenges and the need for close cooperation will remain.

- Secondly, my career choices demonstrate my European commitment. I chose every job I've been lucky enough to do and my career is defined by working on European issues. I have spent all of my professional life as a public servant and I believe strongly in the values and responsibilities of public service. I have had the opportunity to work on a wide range of European issues in particular in the field of foreign affairs, - and from different angles – in bilateral Embassies in Dublin and Paris, negotiating in the Council, serving as Head of Cabinet to two Commissioners and, as the most senior official responsible for European issues in the UK Foreign Office.

- Thirdly and finally, my professional experience should enable me to hit the ground running as the Commissioner responsible for the Security Union. I have dealt with similar issues in many of my jobs, most recently in the very particular circumstances of Northern Ireland both as British Ambassador to Ireland and then as Director-General of the Northern Ireland Office, where I got to see with my own eyes what can be done to improve countries' security, how fundamental rights underpin progress towards greater security, and the continuing challenge of tackling dissident terrorism.

I believe this new role created by President Juncker comes at a crucial moment. Our citizens, rightly expect the EU to be a provider of security. A recent Eurobarometer survey showed that terrorism is at the top of people's concerns. The Political Guidelines of President Juncker for this Commission identified cross-border crime and terrorism as key areas for action: "[...] we must fight terrorism and counter radicalisation – all the while guaranteeing fundamental rights and values, including procedural rights and the protection of personal data."

Two years have passed since those Guidelines were framed and the Commission has been active in driving forward closer cooperation and better systems. But the world has changed a lot in that time – and not for the better -and there have been an increasing number of attacks on European soil. The need now to fully implement the European Agenda on Security and to pave the way towards an effective and genuine Security Union has never been more urgent or more critical. If appointed that is what I will devote my time and expertise to helping to deliver for the benefit of all EU citizens.

I am fully aware of the importance that, if confirmed, I should act independently and be perceived to do so. I will take the oath and respect it fully. I will also comply with the highest ethical standards as set out in Articles 17.3 TEU and 245 TFEU as well as the Code of Conduct of Commissioners and the relevant transparency procedures. In accordance with the Code I have drafted my declaration of interests which is accessible to the public. I promise to update it where necessary. I will never put myself in positions or situations which could call into question my independence, impartiality or integrity and I will immediately inform the President of the Commission should a situation arise in which there would be a potential conflict of interest in the performance of my duties. With respect to the future, I am seeking your approval for this job and, if approved, that will be my sole focus. I have always sought to uphold the highest public service standards of integrity and I will always continue to do so. I undertake to comply both in spirit and with the letter of all rules – present and future - related to propriety and ethics that apply to me.

2. Management of the portfolio and cooperation with the European Parliament

How would you assess your role as a Member of the College of Commissioners? In what respect would you consider yourself responsible and accountable to the Parliament for your actions and for those of your departments?

What specific commitments are you prepared to make in terms of enhanced transparency, increased cooperation and effective follow-up to Parliament's positions and requests for legislative initiatives? In relation to planned initiatives or ongoing procedures, are you ready to provide Parliament with information and documents on an equal footing with the Council?

If I am confirmed as Commissioner, I see my role as a member of a team in the spirit of the new way of working which characterises the Commission of President Juncker. I will work in line with the method set out in the Mission Letter sent to me on 2 August, supporting the Commissioner for Migration, Home Affairs and Citizenship, under the guidance of the First Vice-President in charge of Better Regulation, inter-institutional relations, the Rule of Law and the Charter of Fundamental Rights who is the responsible Vice-President in this area. I attach great importance to the principle of collegiality and will collaborate fully with other members of the College, reporting to it on a regular basis on the progress made towards building an effective and genuine Security Union.

I will be supported by a Task Force drawing on the expertise of staff in several Directorates-General of the Commission supervised by the Director-General for Home Affairs. In addition to working with the Commissioner for Migration, Home Affairs and Citizenship, I will also work in close cooperation with several other Commissioners including the Commissioner for Climate Action and Energy, the Commissioner for Transport and the Commissioner for Digital Economy and Society as stated in my Mission Letter, in order to pave the way towards an operational Security Union.

Transparency lies at the heart of the Democratic Change priority in the Political Guidelines of the President. It is also reflected in the Commission's relations with the Parliament with which I will work in a transparent manner, seeking to establish an open, frank and constructive dialogue.

Like all other Commissioners, under the Framework Agreement, I will take political responsibility for action in the field of which I am in charge, without prejudice to the principle of Commission collegiality.

Concerning the follow-up to the Parliament's positions and requests I will apply the provisions of the Framework Agreement, and in my areas of responsibility, make sure that the Commission responds to parliamentary resolutions or requests made on the basis of Article 225 TFEU, within three months after their adoption.

The Parliament can count on my support to fully implement the principle of equal treatment for the European Parliament and the Council regarding access to meetings and the flow of information in accordance with the provisions of the Framework Agreement.

Questions from the Committee on Civil Liberties, Justice and Home Affairs:

3. Priorities

Which will be your 2 priorities in the area of Security?

Which specific method will you apply to make sure these 2 priorities are delivered?

My roadmap will be the Commission's April 2016 Communication on 'delivering on the European Agenda on Security to fight terrorism and pave the way towards an effective and genuine Security Union'.

My objective will be to focus on the delivery of this Agenda, on concrete operational measures where the action of the EU can have an impact – to ensure we are making progress on the ground towards an effective Security Union. I will do this in a way which is in line with and promotes fundamental rights. I am very clear that to be sustainable security must be rooted in respect of fundamental rights.

One of my priorities will be to strengthen our common fight against terrorism and organised crime, and the means that support them. This must include a strong focus on prevention work: stopping people from being radicalised in the first place and countering terrorist propaganda and hate speech. Additionally, a swift agreement on the Directive on combating terrorism will help us address evolving terrorist threat by providing a framework to help to tackle the specific challenges posed by foreign terrorist fighters. We also need to cut terrorists' access to finance and their access to firearms and explosives. To achieve this the relevant EU Agencies, and in particular Europol, need to play a stronger role, to work together better and to support more effectively national authorities in their operations against terrorists and organised crime.

My other priority will be to strengthen our defences against terrorism and organised crime, and to build our resilience. We first must focus on implementation: the LIBE Committee has played a crucial role negotiating and agreeing key legislative proposals, these must now be implemented on the ground. We need to ensure that critical infrastructure and soft targets are adequately protected. We should also invest much more in cybersecurity. Strengthening our resilience also requires improving the sharing of information, and we need to look at the overall landscape of IT systems to see what improvements are needed. Research in areas related to security could also strengthen resilience.

The threats the EU faces are multi-faceted and increasingly diverse. The Security Union portfolio spans across many sectors and policy areas, with many different actors at national and EU level. I will approach my tasks with a collaborative spirit, working across the Commission to draw on all the available expertise, with Member States and crucially with the European Parliament. The highest degree of coordination and joined-up teamwork will be needed to deliver concrete operational measures in the areas where the EU can make a real difference in the fight against terrorism and organised crime.

4. Coordination

How do you see your relation with the Committee on Civil Liberties, Justice and Home Affairs given that in your mission letter President Juncker indicates that “*Representation in the European Parliament and in the Council on issues related to the Security Union will, as a rule, be ensured by the Commissioner for Migration, Home Affairs and Citizenship, unless otherwise decided on a case by case basis, by the First Vice-President, in agreement with the Commissioner for Migration, Home Affairs and Citizenship.*”?

Are you ready to participate in a question time with the LIBE Committee upon request in order to review the implementation of your priorities and discuss relevant topical matters?

If confirmed as Commissioner, the Committee of Civil Liberties, Justice and Home Affairs will naturally be the focal point of my close cooperation with the European Parliament on the important Security Union dossier. The Juncker Commission is based on collaborative, team working to deliver a range of cross-cutting priorities. Commissioners work in teams under the leadership of a Vice-President. Delivering the Security Union is a good example of this and will require close cooperation with and support for the Commissioner for Migration, Home Affairs and Citizenship under the guidance of the First Vice-President responsible for Better Regulation, Inter-institutional Relations, Rule of Law and the Charter of Fundamental Rights but also with a wide range of other Commissioners. This cooperation will involve regular and systematic coordination between Commissioners and working in partnership with the European Parliament to advance the Security Union.

There should be no doubt that I consider myself politically responsible towards Parliament as all Commissioners are under the Framework Agreement. When I am called before Parliament I will be ready to cooperate with the LIBE Committee and with Parliament's plenary assembly in line with my mission letter received by President Juncker, fully and in a transparent way, both to inform and explain Commission policy and to seek the views of and listen to the opinions of Members of Parliament, many of whom I hope also to build regular and intensive bilateral contacts with.

I am ready to consider, together with the LIBE Committee, useful forms of dialogue to review with me the priorities of and progress on delivery of my portfolio or to discuss topical issues, be it ad-hoc or in a more structured way.

5. Effective implementation of EU internal security

Among the key issues identified in your portfolio, could you indicate:

- What steps are you planning to undertake to ensure proper, complete and swift implementation of all adopted security-related EU measures by Member States, including making use of the Commission powers to ensure the full transposition and implementation of the EU legislative instruments? How will you inform the LIBE Committee?

- Do you consider existing legislative instruments consistent enough to face the current challenges, in particular in terms of information sharing? If yes, could you elaborate using recent examples? If not, what will your strategy be to remedy the situation?

The terrorist and security threats that the EU faces are cross-border and extremely complex. To tackle them effectively, there needs to be strong commitment from all relevant actors at EU and national level and the various actors need to work better together.

First, there must be a determined focus on implementing what has already been agreed and to use existing instruments to the full. In that respect, I think there are some real challenges ahead with respect to proposals already agreed. I will work with national authorities to identify any obstacles to implementation, and to offer legal assistance, expertise and, where possible, financial assistance in order to help Member States overcome those challenges. This will be particularly relevant for the Passenger Name Record Directive, where Member States need to build Passenger Information Units for the processing and sharing of data. I will regularly inform the LIBE Committee of progress made on implementation and what more needs to be done.

There are also existing instruments which are operational but which are not always being used to the fullest extent (e.g. Schengen Information System, Interpol's database Stolen and Lost Travel Documents). I will want to see what can be done to ensure we exploit the full potential of these instruments. The Prüm framework is another case in point. It can greatly help identifying criminals who operate across borders, but not all Member States have taken the necessary steps to implement it.

While the Commission can support Member States in this, they must take the lead. I think both this Committee and the Commission can help keep the pressure up on effective implementation. The repeated calls at political level for enhancing cooperation and information sharing need to be turned into practice at technical and operational level. It will be my role to help Member States and national authorities in that.

There may also be times when we need to go further to ensure proper implementation. The Commission uses and will continue to use its powers under the Treaty when that is the case, and I will not shy away from infringement proceedings when necessary.

With respect to my relationship with LIBE, the Commission informs the Parliament in a regular manner about its work on the implementation of EU law, including infringements. The Commission services are at the disposal of the LIBE Committee and its Members to provide information on our work relating to the implementation of security-related measures, taking due account however of the need to maintain the confidential nature of the infringement procedures.

With respect to my agenda, my roadmap will be the 2016 Communication on the Security Union. Specifically in the area of information exchange, the first priority is to ensure the full use of existing instruments (see above) and take a look at the overall architecture of information systems in the field of security. The Commission's Communication of 6 April

2016 already lists a number of challenges that need to be addressed to maximise the benefits of existing information systems. For the systems to provide added value whilst adequately protecting personal data, we need to ensure that national authorities feed these systems with quality data, that the data is processed correctly, and that these systems make quality information available to the competent authorities when necessary. The Communication also identifies gaps that might require additional information systems as well as ways to ensure interoperability between the existing ones. If confirmed, it will be my role to address these challenges and gaps, in full compliance with fundamental rights and in particular the right to data protection. For that, and to provide a basis for future work to improve the interoperability of all relevant information systems, the Commission has set up a High Level Expert Group. The Group will address legal, technical and operational aspects of different options to achieve such interoperability. It would be in my role also to drive the work of this Group, in full transparency with the LIBE Committee, to ensure that its findings provide a good basis for a joint discussion with the European Parliament and the Council on the way forward. My objective is to work across the Commission and with the European Parliament and the Council towards a joint strategy to make information systems for security in the EU more effective and efficient.